

**HOUSE JOURNAL**

**of the**

**NINETY-THIRD GENERAL ASSEMBLY**

**of the**

**STATE OF TENNESSEE**

**SECOND REGULAR SESSION**

**THURSDAY, FEBRUARY 23, 1984**

**FORTY-SECOND LEGISLATIVE DAY**

Pursuant to Senate Joint Resolution No. 22, the House of Representatives of the Ninety-Third General Assembly met in Second Regular Session at 12:30 p.m. and was called to order by Mr. Speaker McWherter.

On motion of Representative Naifeh, the prayer and pledge were dispensed with.

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton),

Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

Mr. Naifeh moved that all bills on today's Calendar be placed on the Calendar for Monday, March 5, 1984, which motion prevailed.

**RULES SUSPENDED**

Mr. Naifeh moved that the rules be suspended in order that all bills and resolutions pre-filed by 4:00 p.m. today can be introduced and passed on first consideration, which motion prevailed.

**SECOND ROLL CALL**

A roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

**INTRODUCTION OF RESOLUTIONS**

House Joint Resolution No. 261--Relative to amending Constitution to authorize lotteries--By Johnson.

The Speaker referred House Joint Resolution No. 261 to the Committee on Judiciary.

House Joint Resolution No. 262--Relative to naming Walnut Street bridge, Chattanooga--By Wood, Turner (Hamilton), Robinson (Hamilton), McAfee, Elsea, Starnes and Copeland.

The Speaker referred House Joint Resolution No. 262 to the Committee on Transportation.

House Joint Resolution No. 263--Relative to study, establishment

of rape crisis centers--By McNally, Kent, Cobb, Murphy, Gaia, Hassell and Duer.

The Speaker referred House Joint Resolution No. 263 to the Committee on General Welfare.

House Joint Resolution No. 264--Relative to naming bridge on Highway 23 in honor of Bill M. Jones--By Whitson.

The Speaker referred House Joint Resolution No. 264 to the Committee on Transportation.

House Joint Resolution No. 265--Relative to urging TVA to implement policies to enhance economy--By Dills, Wallace and Kisber.

The Speaker referred House Joint Resolution No. 265 to the Committee on State and Local Government.

House Joint Resolution No. 266--Relative to naming the "Marvin Lester Bailey Memorial Bridge," Unicol County--By Whitson.

The Speaker referred House Joint Resolution No. 266 to the Committee on Transportation.

House Joint Resolution No. 267--Relative to naming National Guard Armory, Jamestown--By Burnett.

The Speaker referred House Joint Resolution No. 267 to the Committee on State and Local Government.

House Joint Resolution No. 268--Relative to amending Constitution to create unicameral legislature--By Cobb, McNally and Stafford.

The Speaker referred House Joint Resolution No. 268 to the Committee on Judiciary.

House Joint Resolution No. 269--Relative to calling joint convention, State of the Judiciary address--By Bragg and Murphy.

The Speaker referred House Joint Resolution No. 269 to the Committee on Judiciary.

House Joint Resolution No. 270--Relative to memory, "Shep" Lauter--By McNally.

Under the rules, House Joint Resolution No. 270 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 271--Relative to calling for Water Quality Control Board to establish certain criteria--By Dills.

The Speaker referred House Joint Resolution No. 271 to the Committee on Conservation and Environment.

House Joint Resolution No. 272--Relative to naming Walnut Street replacement bridge, Chattanooga--By Wood, Turner (Hamilton), Robinson (Hamilton), Elsea, Copeland, McAfee and Starnes.

The Speaker referred House Joint Resolution No. 272 to the Committee on State and Local Government.

House Resolution No. 98--Relative to study, cable television--By Kisber, Wheeler, Anderson, Rhinehart and Murray.

The Speaker referred House Resolution No. 98 to the Committee on Commerce.

### **INTRODUCTION OF BILLS**

House Bill No. 1362--To increase longevity pay--By Miller

Passed first consideration.

House Bill No. 1363--To provide for payment of cost, presidential primary--By Naifeh.

Passed first consideration.

House Bill No. 1364--To require certain safety equipment, school buses--By Severance.

Passed first consideration.

House Bill No. 1365--To amend Section 39-2-101, Code--By King (Shelby) and DeBerry.

Passed first consideration.

House Bill No. 1366--To make certain provisions, coal surface mining--By Robertson.

Passed first consideration.

House Bill No. 1367--To amend Section 35-610, Code--By Kent.

Passed first consideration.

House Bill No. 1368--To provide financial assistance, certain T.P.S. graduates--By Ellis.

Passed first consideration.

House Bill No. 1369--To require parental consent, certain blood donations--By Moore (Shelby).

Passed first consideration.

House Bill No. 1370--To make certain provisions, illegal parking--By Kent.

Passed first consideration.

House Bill No. 1371--To regulate raccoon hunting, Macon County--By Wix.

Passed first consideration.

House Bill No. 1372--To designate "Martin Luther King Day"--By Jones.

Passed first consideration.

House Bill No. 1373--To enact Comprehensive Education Reform Act--By Bivens, Cobb, Kelley, Moore (Sullivan), Gill and Whitson.

Passed first consideration.

House Bill No. 1374--To increase longevity pay--By Bragg and Rhinehart.

Passed first consideration.

House Bill No. 1375--To adjust schedule for issuance of drivers' licenses--By Smith.

Passed first consideration.

House Bill No. 1376--To provide license plates, firemen--By Huskey.

Passed first consideration.

House Bill No. 1377--To regulate manufacture and use, certain ammunition--By Kent.

Passed first consideration.

House Bill No. 1378--To allow sale of alcoholic beverages, horse exposition centers--By Phillips.

Passed first consideration.

House Bill No. 1379--To regulate distribution of solvent estates--By Murphy.

Passed first consideration.

House Bill No. 1380--To provide for legitimization of children--By Murphy.

Passed first consideration.

House Bill No. 1381--To regulate paternity proceedings--By Murphy

Passed first consideration.

House Bill No. 1382--To re-define an especially aggravated criminal offense--By Murphy.

Passed first consideration.

House Bill No. 1383--To make certain provisions, contesting tax liability--By Murphy.

Passed first consideration.

House Bill No. 1384--To provide for partial payments of taxes--By Murphy.

Passed first consideration.

House Bill No. 1385--To provide for scheduling and classification of utility rates--By Murphy.

Passed first consideration.

House Bill No. 1386--To amend Charter, Viola--By Rhinehart.

Passed first consideration.

House Bill No. 1387--To amend Section 36-409, Code--By Clark (Sumner), Anderson and Kent.

Passed first consideration.

House Bill No. 1388--To increase membership, Advisory Commission on Intergovernmental Relations--By Anderson and Stafford.

Passed first consideration.

House Bill No. 1389--To regulate purchasing, Millington--By Moore (Shelby).

Passed first consideration.

House Bill No. 1390--To amend Chapter 238, Private Acts, 1903--By Moore (Shelby).

Passed first consideration.

House Bill No. 1391--To amend Chapter 260, Private Acts, 1974--By Jones and Dixon.

Passed first consideration.

**THURSDAY, FEBRUARY 23, 1984--42nd LEGISLATIVE DAY**

House Bill No. 1392--To set guidelines, for indigent patients--By Dixon.

Passed first consideration.

House Bill No. 1393--To amend Section 46-2-101, Code--By Rhinehart.

Passed first consideration.

House Bill No. 1394--To regulate advertising, funeral directors --By Rhinehart.

Passed first consideration.

House Bill No. 1395--To revise and reenact Title 49, Code--By Naifeh, Murphy, Henry and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1396--To revise and reenact Title 67, Code--By Naifeh, Murphy, Henry and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1397--To revise and codify general and public statutes--By Naifeh, Henry, Murphy and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1398--To regulate purchasing, Savannah--By Wolfe and Stallings.

Passed first consideration.

House Bill No. 1399--To impose drug testing fee, certain criminal cases--By Kent.

Passed first consideration.

House Bill No. 1400--To amend Section 55-102, Code--By Buck, Murphy and Murray

Passed first consideration.

House Bill No. 1401--To provide for traffic citation in lieu of arrest, certain cases--By Kent.

Passed first consideration.

House Bill No. 1402--To provide for test fees, DUI cases--By Kent.

Passed first consideration.

House Bill No. 1403--To authorize bond issue, Hartsville General Hospital--By Bell.

Passed first consideration.

House Bill No. 1404--To regulate purchase of wheel discs, Shelby County--By Kent.

Passed first consideration.

House Bill No. 1405--To increase compensation, revenue commissioners, certain counties--By Herndon.

Passed first consideration.

House Bill No. 1406--To provide for filling vacancies, certain utility district boards--By Whitson.

Passed first consideration.

House Bill No. 1407--To make certain provisions, school textbooks--By Love.

Passed first consideration.

House Bill No. 1408--To require proof of immunization, school children--By Davis (Gibson).

Passed first consideration.

House Bill No. 1409--To make certain provisions, retirement benefits--By McNally.

Passed first consideration.

House Bill No. 1410--To establish transplant surgery program--By McNally, Jared and Rhinehart.

Passed first consideration.

House Bill No. 1411--To regulate inventory of estates--By Murphy and McNally.

Passed first consideration.

House Bill No. 1412--To exempt certain farm equipment from sales tax--By Davis (Gibson).

Passed first consideration.

House Bill No. 1413--To provide for disposition of fines, offense



of DWI--By Davis (Gibson).

Passed first consideration.

House Bill No. 1414--To regulate licensing, non-resident tobacco dealers--By Kent, Moore (Shelby), Anderson, Hassell and Copeland.

Passed first consideration.

House Bill No. 1415--To establish board of education, Smith County--By Buck and Davis (Pickett).

Passed first consideration.

House Bill No. 1416--To make certain provisions, board of pharmacy--By Crain.

Passed first consideration.

House Bill No. 1417--To amend Section 70-4-128, Code--By Burnett.

Passed first consideration.

House Bill No. 1418--To make certain provisions, insurance agents--By Love.

Passed first consideration.

House Bill No. 1419--To enact Small Claims Court Act--By Murphy, McKinney, Love, Ellis, Cobb and Chiles.

Passed first consideration.

House Bill No. 1420--To establish group insurance plan, certain retired employees--By Miller.

Passed first consideration.

House Bill No. 1421--To exempt certain personal property from sales tax--By Murphy.

Passed first consideration.

House Bill No. 1422--To regulate hotel tax, Rutherford County--By Bragg.

Passed first consideration.

House Bill No. 1423--To regulate purchasing, Murfreesboro--By Bragg.

Passed first consideration.

House Bill No. 1424--To make certain provisions, housing authorities--By Bragg.

Passed first consideration.

House Bill No. 1425--To amend County Purchasing Law--By Anderson and Stafford.

Passed first consideration.

House Bill No. 1426--To make certain provisions, U. T. Energy Institute--By Murray, Hillis, Johnson, Phillips and Sir.

Passed first consideration.

House Bill No. 1427--To establish speed limit, construction areas--By Robinson (Davidson).

Passed first consideration.

House Bill No. 1428--To regulate licensing of cosmetologists--By Robinson (Davidson).

Passed first consideration.

House Bill No. 1429--To protect county election commission members from libel--By Turner (Hamilton).

Passed first consideration.

House Bill No. 1430--To increase longevity pay--By Miller.

Passed first consideration.

House Bill No. 1431--To amend Charter, Kingsport--By Montgomery, Yelton, Moore (Sullivan), Whitson and Hurley.

Passed first consideration.

House Bill No. 1432--To allow sale of alcoholic beverages, Urban Park Center--By Moore (Shelby).

Passed first consideration.

House Bill No. 1433--To make certain provisions, Chickasaw Basin Authority--By Moore (Shelby).

Passed first consideration.

House Bill No. 1434--To expand participation, Chickasaw Basin Authority--By Moore (Shelby).

Passed first consideration.

House Bill No. 1435--To regulate selection of jurors--By Crain, Hillis, Miller and Buck.

Passed first consideration.

House Bill No. 1436--To change definition of subdivision--By Moore (Shelby) and Nance.

Passed first consideration.

House Bill No. 1437--To make certain provisions, special occasion licenses--By Phillips.

Passed first consideration.

House Bill No. 1438--To authorize issuance of bonds, juvenile detention facilities--By Murphy, Davis (Pickett), Duer, King (Washington), Hillis, Whitson, Moore (Sullivan), Yelton, Rhinehart, Burnett, Montgomery, Buck and Robinson (Washington).

Passed first consideration.

House Bill No. 1439--To make certain provisions, health insurance coverage, newly born--By Dills.

Passed first consideration.

House Bill No. 1440--To create criminal offense of aggravated child abuse--By Dills.

Passed first consideration.

House Bill No. 1441--To amend Section 47-9-407, Code--By Dills.

Passed first consideration.

House Bill No. 1442--To provide a purchasing agent, Dyer County--By Dills.

Passed first consideration.

House Bill No. 1443--To make certain provisions, Obion-Forked Deer Basin Authority--By Dills.

Passed first consideration.

House Bill No. 1444--To require interest be paid on tax refunds--By Copeland.

Passed first consideration.

House Bill No. 1445--To make certain provision, sales tax distribution--By Copeland.

Passed first consideration.

House Bill No. 1446--To make certain provisions, outdoor advertising--By Whitson.

Passed first consideration.

House Bill No. 1447--To make certain provisions, investment securities--By Murray.

Passed first consideration.

House Bill No. 1448--To make certain provisions, secured transactions--By Murray.

Passed first consideration.

House Bill No. 1449--To clarify definition of restaurant--By Murray.

Passed first consideration.

House Bill No. 1450--To make certain provisions, U. T. Energy Institute--By Murray and Johnson.

Passed first consideration.

House Bill No. 1451--To regulate transporting of alcoholic beverages--By Murray and Moore (Shelby).

Passed first consideration.

House Bill No. 1452--To prohibit posting of campaign literature, utility poles--By Wood.

Passed first consideration.

House Bill No. 1453--To prohibit certain industrial banks--By Severance.

Passed first consideration.

House Bill No. 1454--To make certain provisions, elections--By Robertson.

Passed first consideration.

House Bill No. 1455--To regulate health club agreements--By Disspayne.

Passed first consideration.

House Bill No. 1456--To make draft registration a requirement,

enrollment in state supported schools--By Wix.

Passed first consideration.

House Bill No. 1457--To make certain provisions, assessment of property--By Owen.

Passed first consideration.

House Bill No. 1458--To set fine, theft of cable television services--By Owen.

Passed first consideration.

House Bill No. 1459--To limit political campaign contributions by corporations--By Owen.

Passed first consideration.

House Bill No. 1460--To require approval of certain campaign literature--By Owen.

Passed first consideration.

House Bill No. 1461--To appropriate funds, Tennessee Technology Foundation--By Owen and Scruggs.

Passed first consideration.

House Bill No. 1462--To call for appropriations, research facilities--By Owen and Scruggs.

Passed first consideration.

House Bill No. 1463--To increase amount, tax relief for elderly --By Turner (Hamilton).

Passed first consideration.

House Bill No. 1464--To enact Amusement Ride and Attraction Safety Insurance Act--By Scruggs.

Passed first consideration.

House Bill No. 1465--To provide for out-of-state expenses, legislators--By Rhinehart.

Passed first consideration.

#### **SENATE BILL ON FIRST CONSIDERATION**

Senate Bill No. 1261--To provide for Presidential Preference Advisory Referendum, Knox County.

Passed first consideration.

**SENATE BILL ON SECOND CONSIDERATION**

Senate Bill No. 1217--To regulate coon dog training, Tipton County.

Passed second consideration and referred to Committee on Conservation and Environment.

**HOUSE BILL ON SECOND CONSIDERATION**

House Bill No. 1360--To repeal Chapter 58, Title 67, Code.

Passed second consideration and referred to Committee on Commerce.

**NOTICE TO OVERRIDE VETO**

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move House Bill No. 257 for passage, notwithstanding the objections of the Executive.

Shelby A. Rhinehart  
Representative

Under the rules, the notice lies over.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 48--McNally

House Bill No. 1365--Dixon, Drew, Wix

Pursuant to Senate Joint Resolution No. 22, Mr. Naifeh moved that the House stand in recess until 5:00 p.m. on Monday, March 5, 1984, which motion prevailed.